

# ELLIS LAW HORNE

John J. Pringle, Jr.  
Direct dial: 803/343-1270  
[jpringle@ellislawhome.com](mailto:jpringle@ellislawhome.com)

November 22, 2004

**VIA ELECTRONIC MAIL AND FIRST-CLASS MAIL SERVICE**

**South Carolina Public Service Commission**

**ATTN: Docketing Department**

Post Office Drawer 11649

Columbia, South Carolina 29211

RE: Petition to Establish Generic Docket to Consider Amendments  
To Interconnection Agreements Resulting from Changes of Law  
**Docket No. 2004-316-C, Our File No. 528-10272**

To Whom It May Concern:

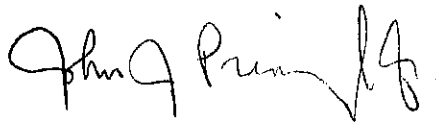
Enclosed is the original and ten (10) copies of the **Petition to Intervene** filed by NuVox Communications, Inc. and NewSouth Communications Corp. in the above-referenced docket.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it in the enclosed envelope. By copy of this letter, I am serving all parties of record and enclose my certificate of service to that effect.

If you have any questions or need additional information, please do not hesitate to contact me.

With kind regards, I am

Very truly yours,



John J. Pringle, Jr.

JJP/cr

cc: Hamilton Russell, Esquire  
all parties of record

Enclosures

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**BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2004-316-C**

IN RE:

Petition to Establish Generic Docket to )  
Consider Amendments to Interconnection )  
Agreements Resulting from Changes of Law )  
\_\_\_\_\_ )

**PETITION TO INTERVENE**

NuVox Communications, Inc. (“NuVox” or “Petitioner”), on behalf of itself and its operating entity, NewSouth Communications, Corp. (“NewSouth”), by its undersigned attorneys, hereby Petitions the South Carolina Public Service Commission (the “Commission”), pursuant to Rule 103-836 of the Commission’s Rules, for an order allowing Petitioner to intervene in the above-captioned Docket, with full rights to participate as a party of record. In support of its Petition, Petitioner would show the Commission the following:

1. NuVox and NewSouth are both full-service integrated service providers authorized by the Commission to provide local exchange and interexchange telecommunications services organized under the laws of the State of South Carolina. NuVox holds a certificate of public convenience and necessity from this Commission granted in Docket No. 98-129-C, on May 29, 1998 by Order No. 98-395. NewSouth holds a certificate of public convenience and necessity from this Commission granted in Docket No. 97-467-C by Order No. 98-165.

2. BellSouth filed its Petition to Establish Generic Docket with this Commission on November 3, 2004, requesting that the Commission convene a docketed generic proceeding and hold

an evidentiary hearing (as necessary) to determine what changes recent decisions from the Federal Communication Commission ("FCC") and the United States Court of Appeals for the District of Columbia Circuit ("DC Circuit") require in existing approved interconnection agreements between BellSouth and competitive local exchange carriers ("CLECs") in South Carolina.

3. Petitioner has a vital interest in this Docket, as it and its operating entity, NewSouth, operate pursuant to interconnection agreements with BellSouth, and will thus be affected by any decision the Commission makes in this proceeding.

4. Petitioner seeks to assist the Commission in its designation of the issues to be determined in this proceeding, and advocate its position with respect to those issues.

5. The full names and addresses of the authorized representatives of Petitioner are:

John J. Pringle, Jr.  
Ellis, Lawhorne & Sims, P.A.  
P.O. Box 2285  
Columbia SC 29202

John J. Heitmann, Esquire and  
Heather T. Hendrickson  
Kelley Drye & Warren LLP  
1200 Nineteenth Street, N.W.  
Suite 500  
Washington, D.C. 20036  
(202) 955-9600 (telephone)  
(202) 955-9792 (facsimile)

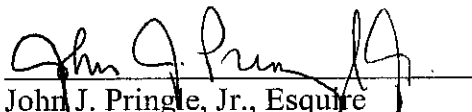
6. Petitioner asserts that the granting of its Petition to Intervene will not in any way delay the proceedings in this Docket.

**WHEREFORE,** Petitioner prays for the Commission to:

- a) Grant this Petition to Intervene and make Petitioner a party of record in Docket Number 2004-316-C, allowing Petitioner to participate fully and take such positions as it deems advisable; and
- b) Grant such other relief as the Commission deems just and proper.

Respectfully submitted,

**ELLIS, LAWHORNE & SIMS, P.A.**

  
John J. Pringle, Jr., Esquire  
1501 Main Street, Fifth Floor  
P.O. Box 2285  
Columbia, South Carolina 29202

Attorney for Petitioner

November 22, 2004  
Columbia, South Carolina

**BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2004-316-C**

IN RE:

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Petition to Establish Generic Docket to )  
Consider Amendments to Interconnection )  
Agreements Resulting from Changes of Law )  
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**CERTIFICATE OF SERVICE**

This is to certify that I have caused to be served this day, one (1) copy of the **Petition to Intervene** by placing a copy of same in the care and custody of the United States Postal Service (unless otherwise specified), with proper first-class postage affixed hereto and addressed as follows:

Patrick Turner, Esquire  
**BellSouth Telecommunications, Inc.**  
PO Box 752  
Columbia SC 29202-0752

E. Earl Edenfield, Jr.  
**BellSouth Telecommunications, Inc.**  
Legal Department – Suite 4300  
675 W. Peachtree Street, NE  
Atlanta GA 30375

  
\_\_\_\_\_  
Carol Roof

November 22, 2004  
Columbia, South Carolina